

1 HOUSE BILL NO. 96

2 INTRODUCED BY D. HAWK

3 BY REQUEST OF THE DEPARTMENT OF LABOR AND INDUSTRY

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT ALIGNING A STATE SPECIAL REVENUE ACCOUNT WITH
6 ADMINISTERING AGENCY; AMENDING SECTION 61-3-303, MCA; AND PROVIDING AN IMMEDIATE
7 EFFECTIVE DATE."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10
11 **Section 1.** Section 61-3-303, MCA, is amended to read:

12 **"61-3-303. Original registration -- process -- fees.** (1) Except as provided in 61-3-324, a Montana
13 resident who owns a motor vehicle, trailer, semitrailer, or pole trailer operated or driven upon the public
14 highways of this state shall register the motor vehicle, trailer, semitrailer, or pole trailer in the county where the
15 owner is domiciled. A nonresident who has an interest in real property in Montana may register in the county
16 where the real property is located a motor vehicle, trailer, semitrailer, or pole trailer operated or driven upon the
17 public highways of this state.

18 (2) Except as provided in subsection (3), the county treasurer or an authorized agent shall register
19 any vehicle for which:

20 (a) as of the date that the motor vehicle, trailer, semitrailer, or pole trailer is to be registered, the
21 owner delivers an application for a certificate of title to the department, an authorized agent, or a county
22 treasurer; or

23 (b) the county treasurer or an authorized agent confirms that the department has an electronic record
24 of title for the motor vehicle, trailer, semitrailer, or pole trailer as provided under 61-3-101.

25 (3) (a) A county treasurer or an authorized agent may register a motor vehicle, trailer, semitrailer, or
26 pole trailer for which a certificate of title and registration were issued in another jurisdiction and for which
27 registration is required under 61-3-701 after the county treasurer or the authorized agent examines the current
28 out-of-jurisdiction registration certificate or receipt and receives payment of the fees required in 61-3-701. The

1 county treasurer or an authorized agent may ask the motor vehicle, trailer, semitrailer, or pole trailer owner to
2 provide additional information, prescribed by the department, to ensure that the electronic record of registration
3 maintained by the department is complete.

4 (b) A county treasurer or an authorized agent shall collect fees pursuant to 61-3-203 and 61-3-220(4)
5 and issue a 90-day temporary registration permit pursuant to 61-3-224 for a motor vehicle, trailer, semitrailer,
6 pole trailer, motorboat, sailboat that is 12 feet in length or longer, snowmobile, or off-highway vehicle for which
7 the new owner cannot, due to circumstances beyond the new owner's control, surrender a previously assigned
8 certificate of title. The new owner shall request the 90-day temporary registration permit from the authorized
9 agent or county treasurer that originally issued the temporary registration permit.

10 (4) Upon registering a motor vehicle, trailer, semitrailer, or pole trailer for the first time in this state, the
11 county treasurer or an authorized agent shall:

12 (a) update the electronic record of title, if any, maintained for the vehicle by the department under 61-
13 3-101;

14 (b) assign a registration period for the vehicle under 61-3-311;

15 (c) determine the vehicle's age, if required, under 61-3-501;

16 (d) determine the amount of fees, including local option taxes or fees, to be paid under subsection (5);

17 and

18 (e) assign and issue license plates for the vehicle under 61-3-331.

19 (5) Unless otherwise provided by law, a person registering a motor vehicle shall pay to the county
20 treasurer or an authorized agent:

21 (a) the fees in lieu of tax or registration fees as required for:

22 (i) a light vehicle under 61-3-321 or 61-3-562, in addition to, if applicable, any local option tax or fee
23 under 61-3-537 or 61-3-570;

24 (ii) a motor home under 61-3-321;

25 (iii) a travel trailer under 61-3-321;

26 (iv) a motorcycle or quadricycle under 61-3-321;

27 (v) a bus, a truck having a manufacturer's rated capacity of more than 1 ton, or a truck tractor under
28 61-3-321 and 61-3-529; or

1 (vi) a trailer under 61-3-321;

2 (b) a donation of \$1 or more if the person indicates that the person wishes to donate to promote
3 awareness and education efforts for procurement of organ and tissue donations in Montana to favorably impact
4 anatomical gifts; and

5 (c) a donation of \$1 or more if the person indicates that the person wishes to donate to promote
6 education on, support for, and awareness of traumatic brain injury.

7 (6) The county treasurer or an authorized agent may not issue a registration receipt or license plates
8 for the motor vehicle, trailer, semitrailer, or pole trailer to the owner unless the owner makes the payments
9 required by subsection (5).

10 (7) The department may make full and complete investigation of the registration status of the motor
11 vehicle, trailer, semitrailer, or pole trailer. A person seeking to register a motor vehicle, trailer, semitrailer, or
12 pole trailer under this section shall provide additional information to support the registration to the department if
13 requested.

14 (8) Revenue that accrues from the voluntary donation provided in subsection (5)(b) must be
15 forwarded by the respective county treasurer or an authorized agent to the department for deposit in the state
16 special revenue fund to the credit of an account established by the department of ~~public health and human~~
17 ~~services labor and industry~~ to support activities related to awareness and education efforts for procurement of
18 organ and tissue donations for anatomical gifts.

19 (9) (a) Except as provided in subsection (9)(b), the fees in lieu of tax, taxes, and fees imposed on or
20 collected from the registration of a travel trailer, motorcycle, or quadricycle or a trailer, semitrailer, or pole trailer
21 that has a declared weight of less than 26,000 pounds are required to be paid only once during the time that the
22 travel trailer, motorcycle, quadricycle, trailer, semitrailer, or pole trailer is owned by the same person who
23 registered the travel trailer, motorcycle, quadricycle, trailer, semitrailer, or pole trailer. Once registered, a travel
24 trailer, motorcycle, quadricycle, trailer, semitrailer, or pole trailer is registered permanently unless ownership is
25 transferred or unless it was registered under 61-3-701.

26 (b) Whenever ownership of a travel trailer, motorcycle, quadricycle, trailer, semitrailer, or pole trailer is
27 transferred, the new owner is required to register the travel trailer, motorcycle, quadricycle, trailer, semitrailer,
28 or pole trailer as if it were being registered for the first time, including paying all of the required fees in lieu of

1 tax, taxes, and fees.

2 (10) Revenue that accrues from the voluntary donation provided in subsection (5)(c) must be
3 forwarded by the respective county treasurer or an authorized agent to the department for deposit in the state
4 special revenue fund to the credit of the account established in 2-15-2218 to support activities related to
5 education regarding prevention of traumatic brain injury.

6 (11) The department, an authorized agent of the department, or a county treasurer shall use the online
7 motor vehicle liability insurance verification system provided in 61-6-157 to verify that the vehicle owner has
8 complied with the requirements of 61-6-301."

9
10 NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

11 - END -